oplication for United States



PATENT H0004834(1100.1205101)

elow named inventor, I hereby declare that:

residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## COMPACT OPTO-FLUIDIC CHEMICAL SENSOR

The speci	fication of which					
(check one)	is attached here X was filed on Application Serial N and was amended o	December No. 10/727,83		as		
	hereby state that I hav the claims, as amended				ntified speci	fication,
I in accorda	acknowledge the duty ance with Title 37, Cod	to disclose inform le of Federal Regu	nation which is mate lations, §1.56(a).*	erial to the examina	tion of this	application
	hereby claim the bene n(s) as listed below:	fit under Title 35,	United States Code	, §119(e) of any Ur	nited States	provisional
Provision	al Application No.	60/431,654	filed o	on <u>Decemb</u>	er 4, 2002_	
applicatio	hereby claim foreign process for patent or inverse for patent or invento claimed:	ntor's certificate lis	ted below and have	also identified belo	ow any fore:	ign
Prior Foreign Application(s)			PriorityClaimed			
(Num	ber) (C	Country)	(Day/Mon	th/Year Filed)	Yes	No
listed belo prior Unit §112, I ac Regulatio	hereby claim the bene ow and, insofar as the s red States application in knowledge the duty to ns §1.56(a) which occur nal filing date of this a	subject matter of ea in the manner provi disclose material arred between the	ach of the claims of ided by the first par information as defit	this application is a agraph of Title 35, ned in Title 37, Coo	not disclose United State le of Federa	d in the es Code l
(Applica	tion Serial No.)	(Filing D	ate)	Status (patented	, pending, al	bandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith BRIAN N. TUFTE (Reg. No. 38,638), JOHN G. SHUDY, JR. (Reg. No. 31,214), JAMES RODGERS (Reg. No. 48,306), MARK SCHROEDER (Reg. No. 53,566), J. SCOT WICKEM (Reg. No. 41,376), GLENN SEAGER (Reg. No. 36,926), DAVID CROMPTON (Reg. No. 36,772), KRIS T. FREDRICK (Reg. No. 42,554), MATTHEW LUXTON (Reg. No. 41,960) and GREG ANSEMS (Reg. No. 42,264). Address all telephone calls to KRIS T. FREDRICK at telephone number (763) 954 -5388.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole		
or First Inventor	Ulrich Bonne	
Inventor's Signature	Vorme	, Date 23 Dec_, 2003
Residence	Hopkins, Hennepin County	
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Declaration and Power of Attorney
H0004834 (1100.1205101)



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

or First Inventor		Ulrich Bonne		
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Full Name of Second		D 177 D 177		
Joint Inventor, If Any_			11 0	-
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## \*Title 37, Code of Federal Regulations §1.56:

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.